

Docket No. PRD2018USPCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bart De Spiegeleer, Hilde Dosogne

Serial No. : 10/542,162

Art Unit:

Filed : January 9, 2004

Examiner:

For : ANTI-PROTOZOAL COMPOSITIONS COMPRISING DICLAZURIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

11-9-05

(Date)

Ellen Ciambrone Coletti

Name of applicant, assignee, or Registered Representative

/Ellen Ciambrone Coletti/
(Signature)

11-9-05

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USCS371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Sir or Madame:

This is in response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USCS371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE ("The Notification") mailed September 29, 2005.

In the Notification it is stated that:

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

Applicants respectfully submit that a Declaration of the inventors in compliance with 37CFR 1.497(a) and (b) was timely submitted in the PCT Request. A copy of the PCT Request is enclosed.

In addition, Applicants note that receipt of said Declaration was acknowledged on the published PCT application. See PCT WO 2004/062673 A1 (title page attached) wherein it is stated in "part", Declarations under Rule 4.17:

- of inventorship (Rule 4.17(iv)) for US only

Based on the foregoing, applicants submit that the \$130.00 surcharge for late oath or declaration is not due.

A copy of the Notification of Missing Requirements under 35
U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
is enclosed.

Respectfully submitted,

/Ellen Ciambrone Coletti/_____

Ellen Ciambrone Coletti
Reg. No. 34,140

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933
(732)524-2359
Dated: November 9, 2005

PCT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/542,162	FIRST NAMED APPLICANT Bart De Spiegeleer	ATTY. DOCKET NO. PRD2018USPCT
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INTERNATIONAL APPLICATION NO. PCT/EP04/00147

I.A. FILING DATE 01/09/2004	PRIORITY DATE 01/16/2003
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27777
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RECEIVED

OCT 03 2005

CONFIRMATION NO. 8260

371 FORMALITIES LETTER

I&J PAT. DKT. SECTION



OC000000017086605

Date Mailed: 09/29/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/12/2005
- Copy of the International Search Report filed on 07/12/2005
- Preliminary Amendments filed on 07/12/2005
- Information Disclosure Statements filed on 07/12/2005
- Request for Immediate Examination filed on 07/12/2005
- U.S. Basic National Fees filed on 07/12/2005
- Assignment filed on 07/12/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,162	PCT/EP04/00147	PRD2018USPCT

FORM PCT/DO/EO/905 (371 Formalities Notice)